(20)

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P.(S) No. 6067 of 2007

PETITIONER Umend Kumar Joshi Son of Shri Bahurdas Joshi, aged about 33 years, Working as Health Worker (Male), Sub Health Centre Dhobghatti, Sector Baigakapa, Community Health Centre Lormi, District Bilaspur (C.G.)

Versus

RESPONDENTS

1. State of Chhattisgarh, Through: The Secretary, Department of Health and Family Welfare, D.K.S. Bhawan, Raipur (C.G.)
2. The Under Secretary, Chhattisgarh Government, Department of Health and Family Welfare, D.K.S. Bhawan, Raipur (C.G.)
3. The Chief Medical and Health Officer, Bilaspur (C.G.)
4. The Block Medical Officer, Lormi, District Bilaspur (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUION OF INDIA

Appearance:

Shri Ratnesh Kumar Agrawal, counsel for the petitioner.

Ms. Sunita Jain, Panel Lawyer for the State on advance copy.

ORAL ORDER

(10.10.2007)

SUNIL KUMAR SINHA, J.

Heard on admission.

The petitioner, who is working on the post of Male Health Worker, has been transferred from Lormi, District Bilaspur to Sahaspur Lohara, District Kawardha. The order of transfer was passed on 7.7.2006, whereas the writ petition has been filed on 28.9.2007.

Learned counsel for the petitioner argues that it has been shown in the transfer order that the transfer has been affected on own will of the petitioner but the petitioner has never made any application for his transfer.

I am not inclined to admit this petition for hearing after the lapse of about 1 year from the date of passing of the impugned order. This is an inordinate delay in filing the writ petition.

At this stage, learned counsel for the petitioner submits that in fact, the petitioner was not relieved earlier and he was ordered to be relieved on 20.8.2007 and then only this petition has been filed. Even if the petitioner has been relieved on 20.8.2007 but itself does not explain the delay in filing the writ petition against the order dated 7.7.2006.

The petition is dismissed at the motion stage on the ground of delay in filing the petition. However, the petitioner shall be free to file a representation to the concerned authority, who shall decide the same at the earliest in accordance with law.

Sd/-
Sunil Kumar Sinha
Judge

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